

**ORDINANCE NO. \_\_\_\_\_, SERIES 2022**

**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 4520 POPLAR LEVEL ROAD CONTAINING APPROXIMATELY 85.6 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 21ZONE0121)(AS AMENDED).**

**SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD**

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the "Planning Commission") and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 21ZONE0121; and

**WHEREAS**, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 21ZONE0121 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records, with the addition of a binding element.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** That the zoning of the property located at 4520 Poplar Level Road containing approximately 85.6 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 21ZONE0121, is hereby changed from R-1 Single-Family Residential to C-2 Commercial; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 21ZONE0121-, with the following additional binding element:

11. Within 90 days of the Certificate of Occupancy being issued for the proposed addition, a traffic study to assess

capacity on Durrett between Breitenstein Avenue and Preston Highway shall be required. If (1) the traffic study results in recommendations for improvements to Durrett Lane AND (2) the traffic signal improvements contemplated by Binding Element 9 are not constructed for whatever reason, then the Developer shall contribute up to \$100,000 toward the cost of the improvements recommended by the study, upon request by Louisville Metro. This contribution shall not be requested more than 2 years after issuance of Certificate of Occupancy.

**SECTION II:** This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

\_\_\_\_\_  
Sonya Harward  
Metro Council Clerk

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David James  
President of the Council

\_\_\_\_\_  
Greg Fischer  
Mayor

\_\_\_\_\_  
Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O’Connell  
Jefferson County Attorney

By: \_\_\_\_\_